

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
EMA FINANCIAL, LLC

Plaintiff,

-v.-

VYSTAR CORP.

Defendant.  
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:  
: ORDER

:  
: 19 Civ. 1545 (GWG)

GABRIEL W. GORENSTEIN, United States Magistrate Judge

For the reasons stated today on the record, the plaintiff's motion to reconsider the Court's Opinion and Order (Docket # 259) is granted. However, on reconsideration the Court concludes that its Opinion and Order dismissing this action was correctly decided and therefore that the judgment of dismissal (Docket # 252) will stand.

The Court notes that at oral argument today, defendant waived any entitlement to seek attorney's fees incurred on the motion for reconsideration. The Court will decide the pending attorney's fee application in due course.

SO ORDERED.

Dated: May 16, 2024  
New York, New York

  
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GABRIEL W. GORENSTEIN  
United States Magistrate Judge